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EX PARTE

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Verizon Telephone Companies Petition for Forbearance
WC Docket No. 04-440

Dear Ms. Dortch:

BT Americas Inc. files this letter in opposition of Verizon's Petition for Forbearance in the above-referenced docket.

It is entirely inappropriate for Verizon to seek sweeping Title II and Computer Inquiry deregulation of its special access services using Section 10 of the Communications Act when Verizon has not provided the level of evidence necessary to support a Section 10 forbearance petition. It has not shown that for each of the products for which it seeks forbearance relief and in each of the geographic markets in which it seeks relief there exists sufficient wholesale and retail competition for the products for which Verizon seeks forbearance relief.¹ Only on that basis could the Commission conclude that enforcement of Title II and Computer II would be unnecessary for the protection of consumers, consistent with the public interest and that forbearance would enhance competition among providers of such services. The Commission has defined the relevant product and geographic markets for enterprise special access services. The product markets are channel terminations, local transport and entrance facilities for Type I and Type II services for each and every building in Verizon's region.² Verizon has not attempted to show with any granularity the level of competition that exists for the services for which it seeks relief and yet it seeks total deregulation of such services. Therefore, the Commission must reject Verizon's request in totality.

¹ See 47 U.S.C. §160(a).

² Verizon Communications Inc. and MCI, Inc. Applications for Approval of Transfer of Control, WC Docket No. 05-75, Memorandum Opinion and Order, FCC 05-184 (rel. November 17, 2005) (*Verizon-MCI Order*), ¶¶ 25 et seq.

Furthermore, deregulation of special access services should be considered in the context of the Commission's special access rulemaking³ where a wealth of evidence has been submitted into the record and not on the basis of a standalone forbearance petition.

For the reasons stated above, BT Americas Inc. opposes Verizon's Petition for Forbearance from Title II and the Commission's Computer Inquiry Rules.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Sheba Chacko'.

A. Sheba Chacko

cc (via electronic mail): Ian Dillner
Jessica Rosenworcel
Scott Bergmann
Aaron Goldberger
Dana Shaffer
Tom Navin
Terri Natoli
Renee Crittendon
Donald Stockdale
Tamara Preiss
Julie Veach
Marcus Maher

³ Special Access Rates for Price Cap Local Exchange Carriers, Order and Notice of Proposed Rulemaking, 20 FCC Red 1994 (2005) ("Special Access").